

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT
SOUTHERN DIVISION

FILED - GR
January 22, 2024 2:29 PM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY:JMW SCANNED BY: KB 1/22

Phillip A. Brown II,
Plaintiff,

District Court : 23-cv-00987

v.

Honorable : Jane M. Beckering

Dr. Todd Gioffi et al,
Defendants.

MOTION FOR RECUSAL AND

WAIVER FOR FEDERAL MAGISTRATE

Now comes Plaintiff, Phillip A. Brown II, and moves this Court to recuse herself based on the appearance of judicial bias stemming from the blatant disregard of specific facts in the Complaint, intention to dismiss without allowing a hearing to establish State actor status, and denial of process. These overt acts show a personal animus against prisoners (like her record) which raises legitimate questions about her impartiality concerning facts.

It is now clear to Plaintiff that this Court does not have the time or resources to devote to the legitimate Constitutional issues in this case. For these reasons, and because the factual record strongly supports the validity of the Complaint, this Court's desire to actively defend the State here shows a propensity for deviation from Constitutional holdings and in these circumstances the appearance of impartiality is questionable.

This is a WAIVER of duties to be conducted by a Magistrate under 28 USC §636 in this case for re-assignment and further proceedings.

Respectfully Requested,

Phillip A. Brown II
1-17-24



CK OF THE COURT
DISTRICT COURT
MICHIGAN AVE.
ND RAPIDS, MICH. 49503



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